IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF NOVEMBER
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No.9413 OF 2006

Between:

V.Tulasi Rao.

..... PETITIONER

AND

The Dist. Collector, Krishna Districtr,
Chilakalapudi, Machilipatnam,
And others.

....RESPONDENTS

THE HONOURABLE SRI JUSTICE
P.S.NARAYANA

WRIT PETITION NO.9413 OF 2006

O R D E R

The 5th respondent filed WVMP No.911 of 2006 praying for vacation of the interim order made in WPMP No.11916 of 2006, dated 28.04.2006.

The writ petition is filed for a writ of Mandamus declaring the action of deleting the Backward Community votes from the voters list of Poranki Gram Panchayat, not conducting door to door survey as required by law and not receiving the objections/representations offered at the Gram Sabha and causing enquiry into the objections raised as arbitrary, illegal and unconstitutional and further direct the respondent authorities to identify and prepare backward community votes, by conducting door to door survey and then prepare and publish the final list of voters of the village of Poranki Gram Panchayat strictly in accordance with law and rules applicable and pass such other or suitable orders.

Several factual details had been narrated in the affidavit filed in support of the writ petition. But, however, in para-2 of the counter-affidavit filed by the 5th respondent, it is stated that the 5th respondent had been appointed as electoral registration officer for the village Poranki by the 3rd respondent by proceedings dated 02.04.2006 and in

pursuance of the said proceedings, the 5th respondent along with staff had conducted door to door inspection from 02.04.2006 onwards to identify the BC, SC and ST voters in the village and prepared a draft list consisting of all castes and the eligible voters of the village and hence it is absolutely incorrect to say that the voters list was not prepared in accordance with law. Several other factual details were also narrated in paras
2, 3, 4, 5 and 6 of the counter-affidavit.

In the light of the specific stand taken in the counter-affidavit, this Court is of the considered opinion that the stand taken by the writ petitioner in paras 3 to 10 of the affidavit filed in support of the writ petition needs no serious consideration. But, however, inasmuch as the grievance is relating to the preparation of the electoral list and identification of the backward class voters, the petitioner is at liberty to make appropriate representation, in future, if need be. Except giving this liberty, nothing else can be done at this stage.

With the above observation, the writ petition is closed. No costs.

JUSTICE P.S.NARAYANA

16th NOVEMBER, 2006
PGS

THE HONOURABLE SRI JUSTICE
P.S.NARAYANA

WRIT PETITION NO.9413 OF 2006

16th NOVEMBER, 2006